

MESSAGE NO: 1345201 MESSAGE DATE: 12/11/2001

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-815

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/1997 TO 07/31/1998

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATTION INSTRUCTIONS FOR SULFANILIC ACID FROM CHINA (A-570-815)

MESSAGE NO: 1345201

DATE: 12 11 2001

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

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CASES: A - 570 - 815

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PERIOD COVERED: 08 01 1997 TO 07 31 1998

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: LIQUIDATTION INSTRUCTIONS FOR SULFANILIC ACID FROM CHINA  
(A-570-815)

1. ON 06/15/2000, THE U.S. COURT OF INTERNATIONAL TRADE ISSUED A PRELIMINARY INJUNCTION ENJOINING LIQUIDATION OF CERTAIN ENTRIES WHICH ARE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON SULFANILIC ACID FROM THE PEOPLE'S REPUBLIC OF CHINA, MANUFACTURED OR EXPORTED BY YUDE CHEMICAL INDUSTRY CO. (YUDE) AND ZHENXING CHEMICAL INDUSTRY CO. (ZHENXING), AND IMPORTED BY PHT INTERNATIONAL INC. (PHT), FOR THE PERIOD 08/01/1997 THROUGH 07/31/1998.

2. ON 09/26/2001, THE U.S. COURT OF INTERNATIONAL TRADE UPHELD THE DEPARTMENT'S FINAL DETERMINATION. THIS DECISION HAS NOT BEEN APPEALED. THEREFORE, THE INJUNCTION IS HEREBY LIFTED. ACCORDINGLY, LIQUIDATE ALL ENTRIES OF SUBJECT MERCHANDISE PRODUCED OR EXPORTED BY YUDE AND ZHENXING, AND IMPORTED BY PHT, WHICH WERE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 08/01/1997 THROUGH 07/31/1998.

IMPORTER	PRODUCER/EXPORTER	PERCENT
PHT YUDE	A-570-815-002	18.65
PHT ZHENXING	A-570-815-003	18.65

3. FOR ALL OTHER ENTRIES OF SUBJECT MERCHANDISE WHICH ARE PRODUCED OR EXPORTED, AND IMPORTED BY ANY OTHER PARTY NOT MENTIONED ABOVE, AND WERE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 08/01/1997 THROUGH 07/31/1998, LIQUIDATE ENTRIES AT THE PRC-WIDE RATE OF 85.20 PERCENT OF THE ENTERED VALUE.

4. ACCORDINGLY, YOU ARE NOW INSTRUCTED TO LIQUIDATE ALL SHIPMENTS OF SULFANILIC ACID FROM THE PEOPLE'S REPUBLIC OF CHINA EXPORTED ON OR AFTER 08/01/1997 AND ON OR BEFORE 07/31/1998, AND ASSESS AN ANTIDUMPING LIABILITY OF THE ENTERED VALUE USING THE AFOREMENTIONED RATES NOTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST

SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT SEAN CAREY AT (202) 482-3964, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party